

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA**

**CALVIN R. LUCKEY, ROGER  
FRANKLIN THOMAS and wife,  
ELLA SHINN THOMAS, et al.,**  
  
**Plaintiffs,**  
  
**vs.**  
  
**ACandS, INCORPORATED, et al.,**  
  
**Defendants.**

---

**C/A No. 3:98 CV 394T**

**ORDER OF DISMISSAL  
WITHOUT PREJUDICE OF  
CERTAINTEED CORPORATION**

Plaintiffs Roger Franklin Thomas and Ella Shinn Thomas, having stipulated by and through counsel to dismissal of this action without prejudice as to CertainTeed Corporation, and good cause appearing, it is hereby

**ORDERED, ADJUDGED AND DECREED** that the above action is dismissed without prejudice as to CertainTeed Corporation only and has no effect on other defendant parties in this action.

Signed: September 1, 2006



Lacy H. Thornburg  
United States District Judge

